

EXHIBIT C

**OFFICE OF THE SHERIFF
CONTRA COSTA COUNTY**

January 9, 2007

Certificate

Dept Record Number: SP06-12996

I, The undersigned, am the duly authorized custodian of records for Contra Costa County Sheriff's Office, with the authority to certify said records, and I certify to the following:

(A) That, including this certification, all records specified under Section 1158 of the Evidence Code relating to the understated and which are in my custody, have been reproduced at my office, in my presence, under my direct control.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 9, 2007, at 40 Glacier Dr., Martinez, CA

Signed: Lisa Hoffmann Phone: (925) 313-2454
(Custodian)

Print Your Name:

Lisa Hoffmann

-OR-

I hereby declare under penalty of perjury, that after a thorough search of my files, I do not have the requested records as described on the attached request form. Audio Tape not Available.

Executed on January 9, 2007, at 40 Glacier Dr., Martinez, CA

Signed: Lisa Hoffmann Phone: (925) 313-2454
(Custodian)

Print Your Name:

Lisa Hoffmann

☒ Face Page
☐ Continuation
☐ Supplemental

CONT JTA COUNTY SHERIFF'S DEPARTMENT C
P.O. Box 391, Martinez, California 94553-0039

Beal 73

☐ D.V. ☐ HRO ☒ Arrest ☐ SI

1. CR No. 06-12996		2. City Code SR/25		3. Crime/Classification Driving Drunk/Drugs - Misdemeanor (23152A)		4. Detail 23152A		5. More Persons <input type="checkbox"/>			
6. Day / Date / Time of Occurrence SATURDAY / 05/20/2006 / 0130 HOURS				7. Date / Time Reported 05/20/2006 / 0130 HRS		8. Employee No. 65945		9. Reclassification <input type="checkbox"/>			
10. Address / Location of Occurrence 1081 MARKET PLACE, SAN RAMON (VALERO GAS STATION)											
11. <input checked="" type="checkbox"/> PRI <input type="checkbox"/> VIC <input type="checkbox"/> WIT <input type="checkbox"/> MSP <input type="checkbox"/> RUN <input type="checkbox"/> SUS <input type="checkbox"/> LEAD <input type="checkbox"/> OTHER											
12. Name (L, F, M) REPORTING OFFICER					13. Race / Sex / Age / /		14. DOB		15. Driver License No.		
16. Address (Zip Code)							17. Home Phone				
18. Employed By or School							19. Work Phone				
20. Hair		21. Eyes		22. Ht.		23. Wt.		24. AKA / Maiden Name		25. Social Security No.	
26. Further Description (Scars, Tattoos, Mannerisms, Clothing, Etc.)										27. Booking or Cite No.	
28. <input type="checkbox"/> PRI <input checked="" type="checkbox"/> VIC <input type="checkbox"/> WIT <input type="checkbox"/> MSP <input type="checkbox"/> RUN <input type="checkbox"/> SUS <input type="checkbox"/> LEAD <input type="checkbox"/> OTHER											
29. Name (L, F, M) P.O.S.					30. Race / Sex / Age / /		31. DOB		32. Driver License No.		
33. Address (Zip Code)							34. Home Phone				
35. Employed By or School							36. Work Phone				
37. Hair		38. Eyes		39. Ht.		40. Wt.		41. AKA / Maiden Name		42. Social Security No.	
43. Further Description (Scars, Tattoos, Mannerisms, Clothing, Etc.)										44. Booking or Cite No.	
45. <input type="checkbox"/> PRI <input type="checkbox"/> VIC <input type="checkbox"/> WIT <input type="checkbox"/> MSP <input type="checkbox"/> RUN <input checked="" type="checkbox"/> SUS <input type="checkbox"/> LEAD <input type="checkbox"/> OTHER											
46. Name (L, F, M) BHATNAGAR, ABHINAV (NMN)					47. Race / Sex / Age O / M / 30		48. DOB 04/30/1976		49. Driver License No. D3219816		
50. Address (Zip Code) 36927 PAPAYA STREET, NEWARK 94560							51. Home Phone 510-44904543				
52. Employed By or School E							53. Work Phone N/A				
54. Hair BLK		55. Eyes BRO		56. Ht. 510		57. Wt. 160		58. AKA / Maiden Name		59. Social Security No. 608-94-3159	
60. Further Description (Scars, Tattoos, Mannerisms, Clothing, Etc.)										61. Booking or Cite No. 2006010601	
62. Vch / Ves <input checked="" type="checkbox"/> S <input type="checkbox"/> Vict		63. Lic No. (State) 5FXA510		64. Year 2004		65. Make NISSAN		66. Model SENTRA		67. Body Style 4 DR	
68. Color Top SILVER		69. Color Bottom		70. Registered Owner ARUN BHATNAGAR		71. R.O. Address 36927 PAPAYA STREET, NEWARK					
72. Status <input type="checkbox"/> Left <input type="checkbox"/> Impound <input checked="" type="checkbox"/> Stored		73. Towed to or Released to AMERICAN TOW		74. Who has Keys? AMERICAN TOW							
75. Evid <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		76. F / P <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		77. Dispo of Evidence SRPD EVIDENCE REFRIGERATOR		78. Missing N/A		79. Damaged N/A			
79. Brief Synopsis of Incident <p>THIS REPORT CONCERNS THE ARREST OF S-BHATNAGAR FOR VC 23152(A)-DUI. BHATNAGAR WAS STOPPED FOR MAKING AN ILLEGAL U-TURN AND AN UNSAFE TURN. UPON CONTACT, BHATNAGAR ADMITTED TO DRINKING ALCOHOL AND HAD OBJECTIVE SIGNS OF BEING UNDER THE INFLUENCE OF ALCOHOL (DROOPY RED EYES, SLURRED SPEECH, AND AN ODOR OF AN ALCOHOLIC BEVERAGE COMING FROM HIS BREATH). BHATNAGAR PERFORMED A SERIES OF FSTs AND PROVIDED TWO BREATH SAMPLES IN THE PAS DEVICE (.095 %BAC AND .096 %BAC). BASED ON HIS STATEMENTS OF DRINKING, PERFORMANCE OF THE FSTs, AND THE RESULTS OF THE PAS, I ARRESTED BHATNAGAR FOR VC 23152(A)-DUI. I TRANSPORTED BHATNAGAR TO THE SRPD, WHERE HE PROVIDED A BLOOD SAMPLE AND THEN HE WAS TRANSPORTED TO THE MARTINEZ DETENTION FACILITY, WHERE HE WAS BOOKED ON THE ABOVE CHARGE. SGT. CRAIG WAS ADVISED AND APPROVED THE ARREST.</p>											
80. Distribution <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SR <input type="checkbox"/> V <input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner <input type="checkbox"/> Property Clk <input checked="" type="checkbox"/> ACS <input type="checkbox"/> Intell. <input type="checkbox"/> R.O. <input type="checkbox"/> SHC <input checked="" type="checkbox"/> Patrol Captain <input type="checkbox"/> Compl. Ofc. <input type="checkbox"/> Marine Patrol <input type="checkbox"/> DV Unit <input type="checkbox"/> Other											
81. Additional Routing											
82. Reporting Deputy (Print) J. INGRASSIA						83. Date/Time Written 05/20/2006 2000			84. Dispo CLR		
85. Approving Supv (Print) Sgt. W. D. Holtz						86. Supv No. 33500			87. Date 5-22-06		
88. 1 of 4											

Bhatnagar v. CCC CV07-02669 CRB
CC100

☒ ContinuationCON ALBERTA COUNTY SHERIFF'S DEPARTMENT 07.000
P.O. Box 391, Martinez, CA 94553-0039

Beal 73

☐ Supplemental☐ D.V. ☐ H.R.D. ☒ Arrest ☐ SI

1. DR No. 06-12996	2. City Code SR/25	3. Crime / Classification Driving Drunk/Drugs - Misdemeanor (23152A)	4. Detail 1. 23152A 2.	5. Reclassification <input type="checkbox"/>
Victim Name (L.F.M.) P.O.S.		7. Date Orig. Report 05/20/2006	8. Employee No. 65945	
9. Address / Location of Occurrence 1081 MARKET PLACE, SAN RAMON (VALERO GAS STATION)		10. Suspect's Name (L.F.M.) BHATNAGAR, ABHINAV (NMN)		
11. Property Description Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Furs; D) Vehicles; E) Office Equipment; F) Radio, TVs etc.; G) Firearms; H) Household Goods; I) Misc.				
12. Recovered Property \$		13. Narrative / Statements		

On 05/20/2006 and 0108 hours, I was driving in a marked San Ramon patrol car in full uniform at westbound Bollinger Canyon Road near the intersection with Market Place. While at this location I saw a silver Nissan Sentra (CA Lic 5FXA510) make a u-turn from westbound Bollinger Canyon Road to eastbound Bollinger Canyon Road at the intersection with Bishop Ranch 1 East. This turn was a violation of VC 22101(d) as there was a sign at this intersection that read, "No U-Turn." I waited for a safe time to proceed through the intersection and made a u-turn at the same intersection, with the intentions of catching up to the vehicle to make a traffic stop. The vehicle then made a right turn into the number one (left) lane of southbound Market Place and I followed. The vehicle then made an abrupt right turn from the left lane, across the right lane of Market Place, into the Valero Gas Station at 1081 Market Place. When the vehicle made this turning movement he was directly in front of me and I was forced to use my breaks to slow down to avoid a possible collision, a violation of VC 22107. The vehicle then pulled next to a gas pump and stopped. I activated my emergency lights to signal to the driver that I was making a traffic stop.

I exited my patrol car and made contact with the driver of the vehicle, S-Bhatnagar, at the open driver's door window. Bhatnagar identified himself with an expired California Driver License. While I was talking to Bhatnagar, I notice a slight odor of an alcoholic beverage coming from his breath. I also noticed that Bhatnagar had bloodshot droopy eyes and a slightly slurred speech. I asked Bhatnagar if he had drank any alcoholic beverages tonight? Bhatnagar told me he drank 1 1/2 glasses of wine at a restaurant in Pleasant Hill, but could not remember the name of the restaurant. I performed a Horizontal Gaze Nystagmus (HGN) test of Bhatnagar using my finger as stimulus. Bhatnagar had a lack of smooth pursuit to the stimulus with the HGN onset at maximum deviation and an angle of onset at approximately 40 degrees.

Due to Bhatnagar driving, statements, and objective symptoms of intoxication I decided to conduct a DUI investigation. I asked Bhatnagar to exit the vehicle. Bhatnagar exited the vehicle, and walked to an open area underneath the gas station overhang, where I had directed him. When Bhatnagar walked his gait was slightly staggered and I could now smell a stronger odor of an alcoholic beverage coming from his breath.

I explained to Bhatnagar that I was going to conduct a series of field sobriety tests, FST's. I advised him that I would explain and demonstrate each test and that he should ask any questions if he didn't understand prior to performing the tests. I asked Bhatnagar if he had any injuries, physical defects, or problems that would prevent him from performing the FST's. Bhatnagar told me he had a back injury from a car accident 1 1/2 years prior, but the injury would probably not prevent him from performing the tests. Bhatnagar agreed to and performed the FST's as outlined on the DUI supplement form.

I explained to Bhatnagar that I would like to perform one final FST, a Preliminary Alcohol Screening, PAS, device test. I explained that this was not the State mandated breath test and was voluntary. Bhatnagar agreed to take the PAS test.

Distribution <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SR <input type="checkbox"/> V		15. Additional Routing		Bhatnagar v. CCC CV07-02669-CRB CC101	
<input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner		16. Reporting Deputy (Print) J. INGRASSIA		17. Date/Time Written 05/20/2006 2000	
<input type="checkbox"/> Property Ck. <input checked="" type="checkbox"/> ACS <input type="checkbox"/> Infill. <input type="checkbox"/> R.O. <input type="checkbox"/> SHC		18. Approving Supv (Print) Sgt. W D Holtz		19. Date 5-22-06	
<input checked="" type="checkbox"/> Patrol Captain <input type="checkbox"/> Compl. Ofc. <input type="checkbox"/> Marine Patrol <input type="checkbox"/> DV Unit		20. Supv No. 33500		21. Page 2 of 4	
<input type="checkbox"/> Other					

☒ Continuation

CONT COSTA COUNTY SHERIFF'S DEPARTMENT C/ 0000

Beat 73

☐ Supplemental

P.O. Box 391, Martinez, CA 94553-0039

☐ D.V. ☐ HRC ☒ Arrest ☐ SI

1. DR No. 06-12996	2. City Code SR/25	3. Crime / Classification Driving Drunk/Drugs - Mideemeanor (23152A)	4. Detail 1: 23152A 2:	5. Reclassification <input type="checkbox"/>
Victim Name (L.F.M.)		7. Date Orig. Report 05/20/2006	8. Employee No. 65945	

P.O.S.

9. Address / Location of Occurrence 1081 MARKET PLACE, SAN RAMON (VALERO GAS STATION)	10. Suspect's Name (L.F.M.) BHATNAGAR, ABHINAV (NMN)
--	---

11. Property Description:
Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Currency; Notes: B) Jewelry; C) Furs; D) Vehicles; E) Office Equipment; F) Radio, TVs etc.; G) Firearms; H) Household Goods; I) Misc.

12. Recovered Property \$

13. Narrative / Statements

I checked Bhatnagar and confirmed he had no foreign objects in his mouth. Bhatnagar gave PAS breath test samples as follows; at 0130 hours .095 % BAC, and at 0133 .096 % on the ALCO-SENSOR IV, SRPD PAS # 7, SN 042768. The temperature displayed on the PAS when it was used was 22 degrees Celsius. The PAS devise is maintained by Officer Goyich of San Ramon PD.

Based on Bhatnagar's driving, his statements, objective symptoms of intoxication, and performance of the FST's, I believed Bhatnagar was driving while intoxicated. I advised Bhatnagar that he was under arrest for DUI and placed him in handcuffs in the back seat of my patrol car.

I advised Bhatnagar of the state requirement for him to provide a breath or blood test to determine his BAC. Bhatnagar chose to take a blood test.

I advised dispatch to have a blood technician respond to SRPD for a blood draw. Phlebotomist J. Young drew the blood from Bhatnagar and placed and sealed the blood drawials into blood evidence kit envelope # 34664 and turned it over to me. I placed the blood evidence kit envelope into the evidence refrigerator at SRPD. A copy of the blood draw form is attached to this report.

Bhatnagar was transported to the MDF where he was booked for VC 23152(a)-DUI. Sgt Craig was advised of and approved the actions taken.

Officer Jones inventoried and prepared the vehicle for towing and storage. American Tow (45 Beta Ct, San Ramon) responded to the scene and towed the vehicle. The vehicle was entered into the system (FCN 1420614000754).

Bhatnagar v. CCC CV07-02669 CRB
CC102

4. Distribution <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SR <input type="checkbox"/> V <input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner <input type="checkbox"/> Property Ck. <input checked="" type="checkbox"/> ACS <input type="checkbox"/> Intell <input type="checkbox"/> R.O. <input type="checkbox"/> SHC <input checked="" type="checkbox"/> Patrol Captain <input type="checkbox"/> Compl. Ofc. <input type="checkbox"/> Marine Patrol <input type="checkbox"/> DV Unit <input type="checkbox"/> Other		15. Additional Routing	
16. Reporting Deputy (Print) J. INGRASSIA		17. Date/Time Written 05/20/2006 2000	
19. Approving Supv (Print) Sgt. W.D. Holtz		20. Supv No. 33500	
		21. Date 5-22-06	
		22. Page 3 of 4	
		18. Dispo: CLR	

☒ ContinuationCONT COSTA COUNTY SHERIFF'S DEPARTMENT CA 0000
P.O. Box 391, Martinez, CA 94553-0039

Beat 73

☐ Supplemental☐ D.V. ☐ HRO ☒ Arrest ☐ SI

1. DR No. 06-12996	2. City Code SR/25	3. Crime / Classification Driving Drunk/Drugs - Misdemeanor (23152A)	4. Detail 1. 23152A 2.	5. Reclassification <input type="checkbox"/>
Victim Name (L.F.M.) P.O.S.		7. Date Orig. Report 05/20/2006	8. Employee No. 65945	

9. Address / Location of Occurrence 1081 MARKET PLACE, SAN RAMON (VALERO GAS STATION)	10. Suspect's Name (L.F.M.) BHATNAGAR, ABHINAV (NMN)
--	---

11. Property Description: Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Furs; D) Vehicles; E) Office Equipment; F) Radio, TVs etc.; G) Firearms; H) Household Goods; I) Misc.
--

12. Recovered Property \$	13. Narrative / Statements
---------------------------	----------------------------

ATTACHEMENTS:

DUI supplement
 Copy of Blood Draw Form
 Copy of Blood Draw Declaration
 Copy of CDL
 Copy of Admin per se form.

Bhatnagar v. CCC CV07-02669 CRB
CC103

Distribution <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SR <input type="checkbox"/> V <input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner <input type="checkbox"/> Property Clk. <input checked="" type="checkbox"/> ACS <input type="checkbox"/> Intell. <input type="checkbox"/> R.O. <input type="checkbox"/> SHC <input checked="" type="checkbox"/> Patrol Captain <input type="checkbox"/> Compl. Ofc. <input type="checkbox"/> Marine Patrol <input type="checkbox"/> DV Unit <input type="checkbox"/> Other		15. Additional Routing	
16. Reporting Deputy (Print) J. INGRASSIA		17. Date/Time Written 05/20/2006 2000	
19. Approving Supv (Print) Sgt. W.D. Holtz		20. Supv No. 33500	21. Date 5-22-06
		22. Page 4 of 4	18. Dispo CLR

DUI Arrest Supplement

SAN RAMON POLICE DEPARTMENT CA007000
2220 Camino Ramon, San Ramon, CA. 94583.

1. DR No. 2-12996	2. Crime/Classification DUI	3. Detail Code 123152A 2	4. <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misd. <input checked="" type="checkbox"/> Arrest <input type="checkbox"/> Cite
5. Address/Location of Occurrence P.O.S. 1091 MARKET PLACE, SAN RAMON		7. Employee No. 65945	

Traffic Stop and Initial Contact

Traffic Conditions <input checked="" type="checkbox"/> Sparse <input type="checkbox"/> Medium <input type="checkbox"/> Light <input type="checkbox"/> Heavy	Weather Conditions <input type="checkbox"/> Clear <input type="checkbox"/> Fog <input checked="" type="checkbox"/> Cloudy <input type="checkbox"/> Rain	Lighting <input type="checkbox"/> Daytime <input type="checkbox"/> Dusk/Dawn <input type="checkbox"/> Dark <input checked="" type="checkbox"/> Street Lights	Street Conditions <input checked="" type="checkbox"/> Dry <input type="checkbox"/> Rough Road <input type="checkbox"/> Wet <input type="checkbox"/> Construction
--	--	---	---

Describe Location of Traffic Stop: GAS STATION LOT

Preliminary Interview BACK INJURY 1.5 YRS AGO

Are you an Epileptic or Diabetic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Do you take Insulin? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Do you have any Physical Defects? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Time of last drink? "1.5 HRS AGO"	What time is it now? 0125 HRS
Do you take any drugs/medication? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Are you sick or injured? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Are you under a Doctor or Dentists Care? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Time you woke up? 0600 HRS	How many hours slept? 6 HRS
What was your last meal? SALMON INDIAN FOOD	What were you drinking? CHARDONNAY & MERLOT	Did you feel the effects? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Mechanical problems with your vehicle? NO	
Where were you drinking? RESTAURANT IN ASAN HILL	Where did you start driving? RESTAURANT IN PLEASANT HILL	Where were you going? NEWARK	Where are you now? "SAN RAMON" "I'M A LITTLE LOST"	

Comments: BHATHNAGAR COULD NOT REMEMBER THE NAME OF THE RESTAURANT HE WAS AT IN PLEASANT HILL. HE DROPPED A FRIEND OFF IN SAN RAMON AND NEEDED GASOLINE BEFORE CONTINUING TO NEWARK. THIS WAS BHATHNAGAR'S REASONING FOR MAKING THE ILLEGAL U-TURN.

Objective Signs of Intoxication: ☒ Bloodshot/Watery eyes
☒ Unsteady Gait

☒ Odor of Alcoholic Beverage
☒ Slurred Speech

Horizontal Gaze Nystagmus

HGN Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Pupil Size? Equal <input checked="" type="checkbox"/> Unequal <input type="checkbox"/>	Tracking? Equal <input checked="" type="checkbox"/> Unequal <input type="checkbox"/>	Eyelids Normal <input type="checkbox"/> Droopy <input checked="" type="checkbox"/>	Able to follow Stimulus? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Lack of Smooth Pursuit? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Vertical Gaze Nystagmus? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
--	---	---	---	---	--	---

Comments: BHATHNAGAR WAS WEARING CONTACT LENSES AND MADE SEVERAL COMMENT ABOUT THEM BOTHERING HIS EYES AND CAUSING THE REDNESS IN HIS EYES.

Describe Test Location, Surface, Weather, and Lighting: THE TESTS WERE PERFORMED AT A GAS STATION. THE STATION WAS OPEN FOR BUSINESS, SO IT WAS WELL LIT. THE WEATHER WAS SLIGHTLY CLOUDY BUT DRY, AND APPROX. 55-60 DEGREES

Bhatnagar v. CCC CV07-02669 CRB

CC104

23. Additional Routing				24. Reporting Deputy (Print) J. INPASSIAK		25. Date/Time Written 5/12/08 at Hrs.		26. Dispo. Susp.	
27. Approving Supervisor (Print)				28. Supv. No.		29. Date		30. Page 1 of 8	

Distribution
☐ B ☐ C ☐ DA ☐ DE ☐ L ☐ O ☐ SR ☐ V
☐ Investigation ☐ Vice ☐ Narcotics ☐ Juvenile ☐ Coroner
☐ Property Clerk ☐ ACS ☐ Intelligence ☐ R.O. ☐ SHC
☐ Patrol Captain ☐ Complaint Office ☐ Marine Patrol ☐ DV Unit
☐ Other

DUI Arrest Supplement

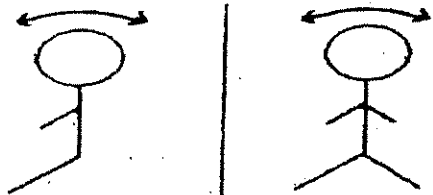
SAN RAMON POLICE DEPARTMENT CA0070000
2220 Camino Ramon, San Ramon, CA. 94583

DR No. 06-12996	2. Crime/Classification DUI	3. Detail Code 23152A	4. <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misd. <input checked="" type="checkbox"/> Arrest <input type="checkbox"/> Cite
5. Victim Name (L, F) P.O.S.	6. Address/Location of Occurrence 1091 MARKET PLACE, SAN RAMON		7. Employee No. 65945

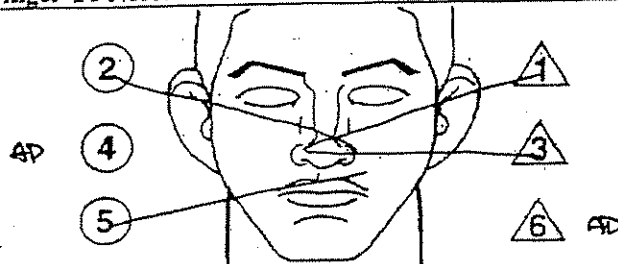
Field Sobriety Tests

Modified Position of Attention:

Finger To Nose:

Sway: **1** InchesSway: **1** InchesInternal Clock: **20** Estimated as 30 secondsEyelid Tremors: Yes ☒ No ☐

Comments:



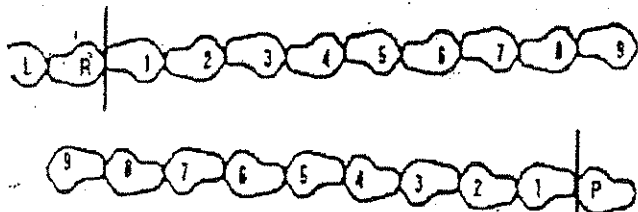
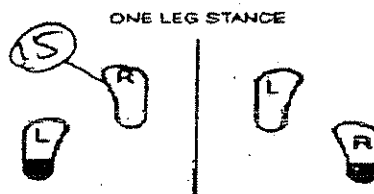
Eyelid Tremors:

Yes ☒ No ☐

Comments:

Walk and Turn:

One Leg Stand:

Type of Footwear: **BLACK DRESS SHOES**Describe Turn: **AS DIRECTED**Comments: **USED ARMS TO BALANCE
THROUGHOUT TEST**

L R

☐ ☐

Sways while balancing

☒ ☒

Uses arms to balance

☐ ☐

Hopping

☒ ☐

Puts foot down (Describe in comments)

Comments: **WHILE STANDING ON HIS RIGHT
FOOT, BHATNAGAR SKIPPED FROM "2" TO
"6" WHILE COUNTING AND COUNTED
"7" TWICE.**

Additional F.S.T. (If Needed): **N/A**

Trombetta Advisement: The breath testing equipment does not retain any breath sample for later analysis by you or anyone else. If you want a sample retained, you may provide a blood sample that will be retained at no cost to you. If you do so, the blood sample may be tested for alcohol or drug content by either party in a criminal prosecution.

Advised of Arrest For DUI? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Advised of Test Requirement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Agreed to Test? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Test Given? Blood <input checked="" type="checkbox"/> Breath <input type="checkbox"/> Urine <input type="checkbox"/>
Breath: Date: Time: Test 1: Test 2: Test 3:	Blood: Date: 5/20 Time: 0230 BAD Tech: J. Young Witness: J. INDRASSIA	P.A.S. Results P.A.S. Number Temperature 26°C B.A.C. Result: 0.05 & 0.096	Trombetta: Advised: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Additional Test: Blood <input type="checkbox"/> Urine <input type="checkbox"/> None <input checked="" type="checkbox"/>

Location Where Chemical Test Conducted:

Disposition Of Test Sample:

SRPD**SRPD EVIDENCE PETER**

23. Additional Routing

Bhatnagar v. CCC CV07-02669 CRB

Distribution

☐ B ☐ C ☐ DA ☐ DE ☐ L ☐ O ☐ SR ☐ V
☐ Investigation ☐ Vice ☐ Narcotics ☐ Juvenile ☐ Coroner
☐ Property Clerk ☐ ACS ☐ Intelligence ☐ R.O. ☐ SHC
☐ Patrol Captain ☐ Complaint Office ☐ Marine Patrol ☐ DV Unit
☐ Other

24. Reporting Deputy (Print)

J. INDRASSIA

25. Date/Time Written

5/20/08

Hrs.

1

28. Dispo.

Susp.

27. Approving Supervisor (Print)

28. Supv. No.

29. Date

30. Page

2 of 8

PAGE: 004 2/00

DECLARATION

JONATHAN YOUNG under penalty of perjury says:
 (Print Name)

I am employed by CML in the
 capacity checked below:

- ☐ physician
☐ registered nurse
☐ licensed vocational nurse
☐ licensed clinical laboratory technologist
☒ clinical laboratory bioanalyst
☒ phlebotomist
☐ certified paramedic

On this date I took blood from a person identified to me as

ABHINAV BHATNAGAR the defendant.

I cleaned the area to be punctured with the non-alcoholic disinfectant, included in the Contra Costa County Criminalistics Laboratory blood withdrawal kit.

Using the sterilized needle and holder from the kit, I inserted the needle into the defendant's vein and withdrew enough blood to fill the two vacuum vials.

I discarded the needle, holder and disinfectant and shook the vials thoroughly to prevent the blood from clotting.

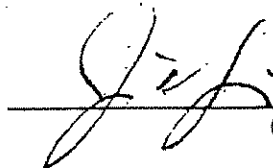
The vials of blood were labelled with the full name of the defendant, the date and time of withdrawal and I placed my initials on the label.

I gave the vials to the officer who accompanied the defendant, and I observed the officer seal the top of each vial with a label seal and place his initials on the seal and on the label of each vial.

The sample(s) was/were taken in a medically approved manner.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 05-20-06 at SAN RAMON California.



(Signature of Declarant)

To be completed by person
 collecting blood.

Bhatnagar v. CCC CV07-02669 CRB
 CC107

(WHITE COPY) DISTRICT ATTORNEY'S COPY - PLEASE RETURN TO THE BLOOD WITHDRAWAL KIT
 (YELLOW COPY) POLICE AGENCY'S COPY - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS
 (PINK COPY) COPY FOR PERSON MAKING BLOOD WITHDRAWAL - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS
 (GOLDENROD COPY) LABORATORY'S COPY - PLEASE RETURN TO THE BLOOD WITHDRAWAL KIT

BAJCC: DEC. 1 2006

4.58

Printed for: SRP1/6594

Sat May 20 01:41:38 2006

CONTRA COSTA COUNTY
05/20/2006

REQUESTED BY xxxxxx

01:41

RAV0000097.ID

DATE: 05-20-06*TIME: 01:41*

DMV RECORD FOR LAW ENFORCEMENT USE ONLY

DL/NO: D3219816*B/D: 04-30-1976*NAME: BHATNAGAR ABHINAV*

RES/ADDR: AS OF 04-11-06: 36927 PAPAAYA ST NEWARK 94560*

OTH/ADDR AS OF 01-13-04: 36927 PAPAAYA ST NEWARK *

IDENTIFYING INFORMATION:

SEX: MALE*HAIR: BLACK*EYES: BRN*HT: 5-10*WT: 160*

ID CARD MLD: 07-13-01*EXPIRES: 04-30-07*

LIC/ISS: 04-11-06*EXPIRES: 04-30-10*CLASS: C NON-COMMERCIAL*

ENDORSEMENTS: NONE*

ORIGINAL DL ISSUE DATE: 05-22-02*

LATEST APP:

DL TYPE: RENEWAL*ISS/DATE: 04-11-06*OFFICE: FRE*BATES: POL*

RESTR: MUST WEAR CORRECTIVE LENSES WHEN DRIVING,

LICENSE STATUS:

VALID*

DEPARTMENTAL ACTIONS:

NONE

CONVICTIONS:

VIOL/DT	CONV/DT	SEC/VIOL	DKT/NO	DISP	COURT	VEH/LIC
06-14-04	10-13-04	21461A VC	0295311	AF	07410	5FXA510
				ABST DISM 1803.5, 1808.7	VC	

DMV POINT COUNT 0

VIOL/DT	CONV/DT	SEC/VIOL	DKT/NO	DISP	COURT	VEH/LIC
09-13-05	04-07-06	22349A VC	6702491	C	01450	5FXA510

DMV POINT COUNT 1

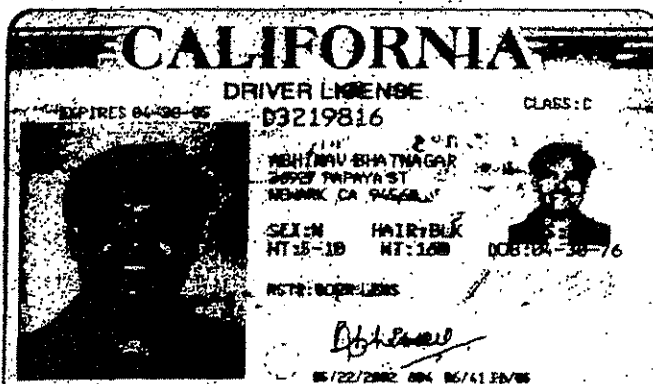
FAILURES TO APPEAR:

NONE

ACCIDENTS:

DATE/TIME	LOCATION	VEH LIC	REPORT NO	FR CASE NO
2-19-03 20	OAKLAND	032404 4BOJ133	93700317696	
01-25-04 22	OAKLAND	051704 5CBB907	01092008452	04 01 81691
01-04-05 99	NEWARK	012005 5FXA510		05 00 35820

END





A Public Service Agency

COMPLETE IN BLACK INK

AGE AND OLDER OFFICER'S STATEMENT

SECTIONS 13353 & 13353.2 CALIFORNIA VEHICLE CODE (CVC)

FORWARD THIS FORM TO YOUR LOCAL DRIVER SAFETY OFFICE WITHIN 5 BUSINESS DAYS

APS

LAW ENFORCEMENT AGENCY CASE NO. <u>06-12996</u>	ARREST DATE <u>5.20.06</u>	FOR DMV USE ONLY	
DRIVER'S NAME (LAST, FIRST, M.I.) <u>BHATNAGAR ABHINAV (NMI)</u>	DRIVER LICENSE NO. <u>03219816</u>	CLASS <u>C</u>	STATE <u>CA</u>
MAILING ADDRESS <u>36927 Papaya ST, NEWARK CA</u>	STATE <u>CA</u>	ZIP CODE <u>94560</u>	
DOB: <u>4.30.76</u> Sex: <u>M</u> Hair: <u>BLK</u> Eyes: <u>BRN</u> Ht.: <u>510</u> Wt.: <u>160</u>			
Driver License: <input type="checkbox"/> Suspended/Revoked <input checked="" type="checkbox"/> Surrendered to Officer (Attach) <input type="checkbox"/> Not in Possession <input type="checkbox"/> Out-of-State <input type="checkbox"/> 0.08% or more BAC Chemical Tests Results <input type="checkbox"/> Chemical Test Refusal <input type="checkbox"/> Forced Blood Test (Complete reverse) (Complete reverse)			

THUMB PRINT
(Right thumb or specify)

Vehicle Lic. No. or VIN SFXAS10 ☐ COMMERCIAL VEHICLE: Vehicle operation requires a commercial driver license (Section 15210 CVC). On 5.20.06 at 0108 AM PM in (City and County) SAN RAMON CONTRA COSTA CA, the above named driver was:

- ☒ Driving: ☒ observed by this officer or ☐ the observer shown in the shaded area below, ☐ admitted to driving.
☐ Arrested per Section 40300.5 CVC. (Describe details in probable cause section on second page.)
☐ Involved in a collision. Attach collision report. In the probable cause section on the second page, describe how time of collision was established.

I had reasonable cause to believe the driver was driving a motor vehicle with alcohol and/or drugs present in the blood or while under the influence. The driver was arrested by this officer or by the person shown in the shaded area below on 5/20/06 (Day/Month/Year) at 0108 AM PM for violation of Section 23152 or 23153 CVC, or Section 191.5(a) or 192(c) of the Penal Code.

PROBABLE CAUSE. Describe in detail the facts and circumstances that led to the stop or contact. If driving was observed by someone other than the arresting officer, what did the observer say? State details on second page of this form hereby incorporated by reference, and sign the certification on the second page.

<input checked="" type="checkbox"/> Driving observed	<input checked="" type="checkbox"/> Driver arrested	<input type="checkbox"/> Collision witnessed	By <input type="checkbox"/> Officer <input type="checkbox"/> Citizen	<input type="checkbox"/> Driving observed	<input type="checkbox"/> Driver arrested	<input type="checkbox"/> Collision witnessed	By <input type="checkbox"/> Officer <input type="checkbox"/> Citizen
NAME (PLEASE PRINT)				NAME (PLEASE PRINT)			
ADDRESS				ADDRESS			
TELEPHONE NO.		OFFICER'S BADGE/ID NO.		OFFICER'S AGENCY		TELEPHONE NO.	

OBJECTIVE SYMPTOMS of intoxication ☒ Bloodshot/watery eyes ☒ Odor of alcoholic beverage ☒ Unsteady gait ☒ Slurred speech
☐ Other: _____ Observed by: J INDRASSIA at 0110 AM/PM

CHEMICAL TEST 0.08% OR MORE BLOOD ALCOHOL CONCENTRATION (BAC)			
Breath Test Results (Attach copy of the results, if available)			
TEST 1	% BAC on	DATE	TIME
TEST 2	% BAC on	DATE	TIME
BREATH TEST MACHINE OPERATOR'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California, that the above breath test sample results were obtained in the regular course of my duties. I further certify that I am qualified to operate this equipment and that the test was administered pursuant to the requirements of Title 17 of the California Code of Regulations.			
Date	Signature X	Badge/ID No.	Agcy./Div.
Blood Test Results	<input checked="" type="checkbox"/> Blood Test on	DATE	TIME
Urine Test Results	<input type="checkbox"/> Both Breath and Blood tests unavailable. <input type="checkbox"/> Drug use suspected.		
<input type="checkbox"/> Urine Test	First Void on	DATE	TIME

I certify under penalty of perjury, under the laws of the State of California, that the information contained in this Officer's Statement is true and correct.

EXECUTED ON: Date 5.20.06 AT: City SAN RAMON County CONTRA COSTA State CA

OFFICER'S PRINTED NAME <u>J. INDRASSIA</u>	BADGE/ID NO. <u>65945</u>	TELEPHONE NO. <u>(925) 646-2441</u>
AGENCY <u>SRPD</u>	AREA <u>0700</u>	COURT CODE (IF UNKNOWN, COURT-NAME) <u>WC SUPERIOR</u>

I ☒ did ☐ did not personally serve a copy of the Order of Suspension/Revocation to the driver on the issue date shown below.

ISSUE DATE OF ORDER <u>5.20.06</u>	SIGNATURE OF ARRESTING OFFICER <u>X</u>	CC109
---------------------------------------	--	-------

IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:

ISSUE DATE	OFFICER'S PRINTED NAME	BADGE/ID NO.	SIGNATURE OF OFFICER


APS



A Public Service Agency

COMPLETE IN BLACK INK

OFFICER'S STATEMENT SECTIONS 13353 AND 13353.2 CVC

LAW ENFORCEMENT AGENCY CASE NO. <u>06-12996</u>	ARREST DATE <u>5.20.06</u>	FOR DMV USE ONLY	
DRIVER'S NAME (LAST, FIRST, M.I.) <u>BHATNAGAR, ABHINAV (NMI)</u>	DRIVER LICENSE NO. <u>D3219816</u>	CLASS <u>C</u>	STATE <u>CA</u>
MAILING ADDRESS <u>36927 Papaya ST, NEWARK CA</u>	STATE <u>CA</u>	ZIP CODE <u>94560</u>	
DOB: <u>4.30.76</u> Sex: <u>M</u> Hair: <u>BLK</u> Eyes: <u>BRN</u> Ht.: <u>510</u> Wt.: <u>160</u>		THUMB PRINT (Right thumb or specify) 	
Driver License: <input type="checkbox"/> Suspended/Revoked <input checked="" type="checkbox"/> Surrendered to Officer (Attach) <input type="checkbox"/> Not in Possession <input type="checkbox"/> Out-of-State <input type="checkbox"/> 0.08% or more BAC Chemical Tests Results <input type="checkbox"/> Chemical Test Refusal <input type="checkbox"/> Forced Blood Test			
PROBABLE CAUSE (DESCRIBE IN DETAIL THE FACTS AND CIRCUMSTANCES THAT LED TO THE STOP OR CONTACT. COMPLETE AND SIGN THE CERTIFICATION BELOW.)			

On 05/20/2006 and 0108 hours, I was driving in a marked San Ramon patrol car in full uniform at westbound Bollinger Canyon Road near the intersection with Market Place. While at this location I saw silver Nissan Sentra (CA Lic 5FXA510) make a u-turn from westbound Bollinger Canyon Road to eastbound Bollinger Canyon Road at the intersection with Bishop Ranch 1 East. This turn was a violation of VC 22101(d) as there was sign at this intersection that read, "No U-Turn." I waited for a safe time to proceed through the intersection and made a u-turn at the same intersection, with the intentions of catching up to the vehicle to make a traffic stop. The vehicle then made a right turn into the number one (left) lane of southbound Market Place and I followed. The vehicle then made an abrupt right turn from the left lane, across the right lane of Market Place, into the Valero Gas Station at 1081 Market Place. When the vehicle made this turning movement he was directly in front of me and I was forced to use my breaks to slow down to avoid a possible collision, a violation of VC 22107. The vehicle then pulled next to a gas pump and stopped. I activated my emergency lights to signal to the driver that I was making a traffic stop.

I exited my patrol car and made contact with the driver of the vehicle, S-Bhatnagar, at the open driver's door window. Bhatnagar identified himself with an expired California Driver License. While I was talking to Bhatnagar, I notice a slight odor of an alcoholic beverage coming from his breath. I also noticed that Bhatnagar had bloodshot droopy eyes and a slightly slurred speech. I asked Bhatnagar if he had drank any alcoholic beverages tonight? Bhatnagar told me he drank 1 1/2 glasses of wine at a restaurant in Pleasant Hill, but could not remember the name of the restaurant. I performed a Horizontal Gaze Nystagmus (HGN) test of Bhatnagar using my finger as stimulus. Bhatnagar had a lack of smooth pursuit to the stimulus with the HGN onset at maximum deviation and an angle of onset at approximately 40 degrees.

I certify under penalty of perjury, under the laws of the State of California, that the information in the above statement is true and correct.

EXECUTED ON: Date 5.22.06 AT: City SAN RAMON County CONTRA COSTA State CA

OFFICER'S PRINTED NAME <u>J. INDRUSSIA</u>	BADGE NO. <u>65945</u>	SIGNATURE OF OFFICER <u>X J. Indrussia</u>	Bhatnagar v. CCC CV07-02669 CRB <u>CC110</u>
AGENCY <u>SRPD</u>	AREA <u>0700 WC SUPERIOR</u>		

